

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Erica Jung	Team: Squad #1	CCRB Case #: 202104482	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 07/29/2021 5:20 PM	Location of Incident: Over the telephone (62nd Precinct)	Precinct: 62	18 Mo. SOL 1/29/2023	EO SOL 1/29/2023	
Date/Time CV Reported Thu, 07/29/2021 5:40 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Thu, 07/29/2021 5:40 PM		
Complainant/Victim	Type	Home Address			
Witness(es)	Home Address				
Subject Officer(s)	Shield	TaxID	Command		
1. POM Michael Lunetta	08799	936994	062 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Michael Lunetta	Abuse: Police Officer Michael Lunetta threatened to arrest § 87(2)(b)				

Case Summary

§ 87(2)(b) filed this complaint on July 29, 2021 via the CCRB on-line website.

On July 29, 2021 at approximately 5:20 pm, § 87(2)(b) was with her husband, § 87(2)(b) when she called the 62nd Precinct to report her uncle for threatening to bomb various places in Brooklyn. PO Michael Lunetta, assigned to the 62nd Precinct, answered the call and told § 87(2)(b) that he was going to put out an I-card for her and have the local police station pick her up for these threats (**Allegation A—Abuse of Authority: § 87(2)(g)**).

There was no BWC footage that captured this incident.

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Michael Lunetta threatened to arrest

§ 87(2)(b)

§ 87(2)(b) stated that she called her local police precinct in Pennsylvania to make a report about her uncle, § 87(2)(b). § 87(2)(b) threatened to bomb Flatbush, where her younger cousin possibly went to school. § 87(2)(b) was transferred to the 62nd Precinct and PO Lunetta answered the phone and told her to call the Flatbush Precinct. § 87(2)(b) called the Flatbush Precinct, to which they informed her that she had the wrong precinct and told her to call back the 62nd Precinct. § 87(2)(b) called back the 62nd Precinct and explained the situation. PO Lunetta told her that they would have officers from the 62nd Precinct go out. § 87(2)(b) waited an hour to an hour and a half and called the 62nd Precinct for an update. PO Lunetta answered the phone and told § 87(2)(b) to stop calling him and that there was no bomb. PO Lunetta then told § 87(2)(b) that he was going to put out an I-card for her and have the local police station in Pennsylvania pick her up for the bomb threats. § 87(2)(b) asked PO Lunetta for his name and shield number, to which he provided both. § 87(2)(b) was able to take down his shield number, 08799 (Board Review 01).

§ 87(2)(b) stated that § 87(2)(b) called the 62nd Precinct about the bomb threats, to which PO Lunetta answered and accused her of lying. PO Lunetta told § 87(2)(b) that he was going to have the local police in Pennsylvania pick her up, which § 87(2)(b) understood to mean and arrest. § 87(2)(b) was able to hear this conversation because the call was on speaker (Board Review 02).

PO Lunetta confirmed that he was the T/S (telephone/switchboard) Operator at the time of the incident but had no recollection of this incident. He did not recall ever receiving a call about a bomb threat being made nor did he hear from any other officer about a phone call regarding a bomb threat. When a civilian reports a bomb threat to the 62nd Precinct, PO Lunetta would find out the location of the bomb threat and get the person's name and pedigree information. If the bomb threat was not in PO Lunetta's precinct, then the threat would be handled by another command. PO Lunetta did not recall ever speaking to § 87(2)(b) let alone threatening to arrest her (Board Review 03).

There was no information about the bomb threat in the T/S log (Board Review 04).

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 05).

- PO Lunetta has been a member of service for 16 years and has been a subject in eight CCRB complaints and 19 allegations, of which one was substantiated.
 - 201607783 involved a substantiated allegation of search of person against PO Lunetta. The Board recommended formalized training and the NYPD imposed formalized training.
 - § 87(4-b), § 87(2)(g) [REDACTED]

Mediation, Civil, and Criminal Histories

- Mediation was not accepting cases thus mediation was not offered.
- As of September 23, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to complaint (Board Review 06).
- According to the Office of Court Administration (OCA), § 87(2)(b) [REDACTED] has no history of convictions in New York City (Board Review 07).

Squad: 1

Investigator: <u> Erica Jung </u>	<u> Inv. Jung </u>	<u> 9/30/21 </u>
Signature	Print Title & Name	Date

Squad Leader: <u> Mgr. Joy Almeyda </u>	<u> </u>	<u> 9.30.21 </u>
Signature	Print Title & Name	Date

Reviewer: <u> </u>	<u> </u>	<u> </u>
Signature	Print Title & Name	Date